

ATTACHMENT C – PROPOSED RULE CHANGES IN MARK-UP – AUSWIND DETAILED RESPONSE.

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
2.2.1(e)	<p>(e) To be eligible for registration as a <i>Generator</i>, a person must:</p> <p>(1) having obtained NEMMCO's approval to do so, classify each of the <i>generating units</i> which that form part of the <i>generating system</i> it owns, operates or controls, or from which it otherwise sources electricity, as either a <i>scheduled generating unit</i> or a <i>non-scheduled generating unit</i>; and</p> <p>(2) satisfy NEMMCO that those generating units and the connection points for those generating units comply with the relevant technical requirements set out in Chapter 5 clauses 5.3 or clauses 5.10 and 5.11(i applicable) have been complied with; and</p> <p>(3) satisfy NEMMCO that each <i>generating system</i> will be capable of meeting or exceeding its <i>performance standards</i>.</p>	<p>The proposed new clause 5.3.7B provides for acceptance of performance standards by NEMMCO. It is intended that <i>Generators</i> should not be registered until performance standards are accepted by NEMMCO for that <i>Generator's</i> plant, and that NEMMCO is satisfied that the <i>Generator</i> will be able to comply with the performance standards.</p>	Agree
2.9.2(a)	<p>(a)</p> <p>Subject to clause 2.9.2(d), NEMMCO must, within 15 <i>business days</i> after receiving the application, or after receiving the further information or clarification under clause 2.9.1(b), or within 15 <i>business days</i> after receiving the information requested under clauses 5.3.7A(b), 5.2.4(b) and 5.11.2, whichever is the later, give notice to the applicant that the applicant is to be admitted in the category of <i>Registered Participant</i> applied for if NEMMCO is reasonably satisfied that:</p> <p>(1) an applicant meets any the eligibility requirements specified for the category of <i>Registered Participant</i> to which the application relates;</p> <p>(2) if the application relates to registration in one of the categories of <i>Market Participant</i>, the applicant is and will be able to fulfil its financial</p>	<p>Clauses 5.3.7A(b), 5.2.4(b) and 5.11.2 gives NEMMCO the power to access information necessary to enable it to properly assess proposed performance standards. The performance standards for new connection applications are to be assessed prior to the connection agreement being entered into. Although this may be well before registration, it could technically be done just prior to the registration application. It is therefore appropriate that the time periods in clause 2.9.2(a) only run once requested information is provided.</p> <p>It is also appropriate that a person seeking registration establish that that person has</p>	Agree

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	<p>obligations under Chapter 3 meeting the prudential requirements set out in clause 3.3 and</p> <p>(3) the applicant <u>has</u> complied with and will continue to be able to comply with the Rules.</p> <p>(b) If NEMMCO is not reasonably satisfied that an applicant satisfies the requirements set out in clause 2.9.2(a), NEMMCO must, within 15 business days after receiving the application or after receiving the further information or clarification requested under clause 2.9.1(b);</p> <p>(1) _____ application;</p> <p>(2) _____ further information or clarification required under clause 2.9.1(b); or</p> <p>(3) _____ information requested under clauses 5.3.7A(b), S5.2.4(b) or 5.11.2</p> <p>whichever is the later, notify the applicant that it is not qualified to be registered as a <i>Registered Participant</i> in the relevant category and provide reasons for that determination.</p>	<p>complied with the Rules.</p> <p>The reference to the prudential requirements is not necessary.</p> <p>Clauses 5.3.7A(b), S5.2.4(b) and 5.11.2 gives NEMMCO the power to access information necessary to enable it to properly assess proposed performance standards. As outlined above, it is therefore appropriate that the time periods in clause 2.9.2(b) only run once requested information is provided.</p>	<p>Reference to "will continue to be able to comply" could be problematic. It looks to the future (ie operating prospectively) and given the Rules compliance is not based on guidelines compliance (see eg Amendments in 3.13.3(k)(2)(ii)), the very nature of the document means it may change in the future, therefore query how could applicant anticipate whether it "will continue to be able to comply"?</p> <p>This may also have contractual flow-on effect as developer may look to deal with the issue in risk allocation profile, and if off-loaded onto third party, eg manufacturer, may have project development cost implications.</p> <p>Further, what criteria will NEMMCO apply when assessing future compliance?</p>
2.9.2(d)	<p>(d) Provided those terms and conditions are reasonably related to ensuring <u>power system security, reliability of supply or the quality of network service to other Network Users</u>, or are consistent with the <u>market objective</u>, NEMMCO may impose such terms and conditions on any registration as NEMMCO sees appropriate.</p>	<p>In the context of new generation, it is conceivable that NEMMCO might need to register Generators on a conditional basis. This is because NEMMCO's overriding responsibility is to ensure power system security, so it is appropriate that NEMMCO has the power to apply conditions to registration that ensure that that objective can be met. It is also appropriate to give NEMMCO the power to apply conditions to registration that ensure reliability of supply and the quality of network service since these are necessary to ensure that the interests of Network Users are protected.</p>	<p>Delete – The clause gives NEMMCO excessive power to impose any standards on connection. Registration is too late in most circumstances to alter plant design and construction. NEMMCO must inject their requirements prior to registration.</p> <p>The automatic access standards are to highest level of standard which NEMMCO may impose.</p>

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		Rather than include a provision that specifically applies to Generators (thereby creating an implication that NEMMCO cannot impose conditions on the registration of other applicants, it is appropriate that a generic power to impose conditions (albeit a conditional power) be inserted.	
3.11.7(a)	(a) In addition to the requirements under clause 4.15.5.12, a <i>Market Participant</i> which has classified a <i>generating unit</i> as an <i>ancillary service generating unit</i> or a <i>market load</i> as an <i>ancillary service load</i> must install and maintain in accordance with the standards referred to in clause 3.11.7(b) monitoring equipment to monitor and record the response of the <i>ancillary service generating unit</i> or <i>ancillary service load</i> to changes in the <i>frequency of the power system</i> .	This change is necessary to ensure that the appropriate cross-reference is made on implementation of these proposed Rule changes.	Agree
3.13.3(k)	(k) Subject to the restrictions and obligations in clause 5.3.8(a) NEMMCO must make the following registered bid and offer data and Network Service Provider data and updates available to a Registered Participant, on request without unreasonable delay, the following information and data if in its possession and control: (1) details of the shared transmission and distribution network impedance data and other technical data as listed in: (i) schedule 5.5.1; (ii) schedule 5.5.2; (iii) schedule 5.5.3; and (iv) schedule 5.5.4 sufficient to carry out power system studies as reasonably required by Registered Participants for planning and/or operational purposes; and registered bid and offer data; (2) the following information, provided that it is	This clause forms the basis of NEMMCO's data policy – which allows for snapshots of the power system to be distributed to Registered Participants (including if required generating plant dynamic models). The original clause was poorly worded, and has been revised to aid clarity. The different types of data described in the clause have been separated into different sections. The reference to “Network Service Provider Data” for the modelling data has been removed, as it is not clear that all the data provided under this clause belongs to the NSP. Some of it clearly is NSP data, and this has been maintained through references to 3.13.3(f) and 3.13.3(g). S5.2.4(b) has been included because this	Agree

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	<p>reasonably required by the <i>Registered Participant</i> to carry out <i>power system</i> studies (including, without limitation, load flow and dynamic simulations) for planning and operational purposes:</p> <p>(i) <u>historical information relating to the operating conditions of the power system;</u></p> <p>(ii) <u>information and data provided to NEMMCO under clauses 3.13.3(F), 3.13.3(G) and S5.2.4(b)(4);</u></p> <p>(iii) <u>information and data described in the <i>Generating System Model Guidelines, Generating System Design Data Sheet, and Generating System Setting Data Sheet;</i></u></p> <p>(iv) <u>information and data described in schedules 5.5.3 and 5.5.4; and</u></p> <p>(3) <u>operating procedures and practices for <i>transmission network</i> or <i>distribution network</i> operation and maintenance that have been developed for the application of schedule 5.1 sufficient to enable <i>power system</i> modelling under normal, <i>outage</i> and emergency conditions.</u></p>	<p>is currently the clause used to obtain wind farm models.</p> <p>The reference to “historical information relating to the operating conditions of the power system” has been added to make it clear that information is to be given sufficient to generate a load flow file.</p>	<p>This could be regarded as an attempt to or have potential impact to codify the guidelines (so that they are no longer just that: guides, but law).</p>
<p>3.13.3(K1)</p>	<p>(K1) <u>NEMMCO may, in its absolute discretion, provide information of the type described in clause 3.13.3(K) to persons who request it for the purpose of undertaking research or providing advice to <i>Registered Participants</i> or potential investors in the <i>power system</i>.</u></p>	<p>This clause has been added to enable NEMMCO to pass on standard system snapshots to power system consultants who have a need for the data.</p>	<p>Agree Absolute discretion may be problematic. NEMMCO must be reasonable about it and be subject to some objective standard on the issue. In particular, the provision is too broad and goes contrary to <i>market objectives</i>, as it brotends access to what can be regarded as highly sensitive, proprietary and confidential information (eg in the event of manufacturers IP rights) to persons with no actual connection to the network, the projects, or necessarily any concern with reliability of the network. What research is envisaged here?</p> <p>The provision similarly pays no regard to proprietary nature and intellectual property rights of the parties that are source of the information provided to</p>

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			<p>NEMMCO. There may be unintended disincentive to third parties to provide information (eg manufacturers) if their commercial in-confidence information is provided to "potential investors" and "researchers" who may be direct commercial competitors. In exercise of its discretion NEMMCO must at least have some regard to the rights and interests of the parties that are source of the information.</p>
<p>3.13.3(k2)</p>	<p>(k2) Information provided under clause 3.13.3(k)(2) is <i>confidential information</i>.</p>	<p>Current NEMMCO policy is to give out snapshots to Participants under cover of a letter saying that this is confidential information. This clause formalises that this information is to be treated as confidential. Registered Participants are bound by the Rules to treat confidential information as described in 8.6.1. Non participants (under 3.13.3(k1)) would need to sign a confidentiality agreement.</p>	<p>Agree The Rule as drafted does not go far enough. Declaring that information is confidential is not sufficient to protect the rights of the parties that are source of that confidential information. What are the consequences of information being declared as being "confidential"? Will the Rules outline that? Further, there is discrepancy between this provision and accompanying comment and the practical effect that 3.13(k1) is likely to have. What enforcement rights in relation to infringement (ie failure to keep information confidential) are there?</p>
<p>3.13.3(k3)</p>	<p>(k3) <i>NEMMCO</i> may recover from <i>Registered Participants</i> and other persons to whom information and data is provided or to be provided under clauses 3.13.3(k) and 3.13.3(k1), respectively, <i>NEMMCO's</i> estimate of the reasonable costs incurred by <i>NEMMCO</i>, or to be incurred by <i>NEMMCO</i>, in complying with a request under either of those clauses. <i>NEMMCO</i> may withhold the information and data until its estimate of reasonable costs is paid.</p>	<p>This is required to ensure that the user of the service, as opposed to the market as a whole, pays the cost of providing this service.</p>	<p>Agree This will have consequences in terms of contractual landscape and risk allocation posing implications for developers and manufacturers. The unintended effect may be increases in prices, or parties seeking to recover those costs (which are uncapped under 3.13.3(k3)) from end users.</p>
<p>4.2.5(d)</p>	<p>(d) <i>NEMMCO</i> must, when determining the secure operating limits of the power system, assume that the applicable <i>performance standards</i> are being met, subject to:</p> <p>(1) a <i>Registered Participant</i> notifying <i>NEMMCO</i>, in accordance with clause 4.15(9),12 (f), that a <i>performance standard</i> is not being met; or</p> <p>(2) <i>NEMMCO</i> otherwise becoming aware that a <i>performance standard</i> is not being met.</p>	<p>This change is necessary to ensure that the appropriate cross-reference is made on implementation of these proposed Rule changes.</p>	<p>Agree</p>

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4.9.2(b) & (b1)	<p>(b) Subject to paragraph clause 4.9.2(b1), NEMMCO may at any time give an instruction to a Scheduled Generator in relation to any of its scheduled generating units with a nameplate rating of 30MW or more, or its generating systems of combined nameplate rating of 30 MW or more, nominating that:</p> <p>(1) the generating unit or generating system transformer is to be set to a nominated tap position (if it has on-load tap changing capability);</p> <p>(2) the generating unit's or generating system's voltage excitation control system set-point is to be set to give a nominated voltage at its terminals; or</p> <p>(3) the generating unit or generating system is to be operated to supply or absorb a nominated level of reactive power at its terminals or at its connection point.</p> <p>(b1) Unless otherwise provided under an ancillary services agreement or a connection agreement, NEMMCO must not give an instruction under paragraph clause 4.9.2(b) that requires a generating unit or generating system to supply or absorb reactive power at its terminals at a level which is outside the mandatory capability for that generating unit determined in accordance with clause S5.2.5.1 of schedule 5.2 plant's relevant performance standard.</p>	<p>NEMMCO currently requires Non-Scheduled Generators to be subject to dispatch for reactive power as a condition of registration under clause 2.2.3(c) for generating systems of 30 MW or more, but NEMMCO considers that the power to dispatch reactive power from non-scheduled generating systems of 30 MW or more should be a normal part of power system security dispatch without resort to registration powers.</p> <p>The changes to include "generating system" and to allow that the plant might not have a conventional excitation control system and the measurement point for reactive power might be the connection point, are necessary to be consistent with the proposed amendments to clauses S5.2.5.1 and S5.2.5.13.</p> <p>The change to the reference to "mandatory capability" is to remove an inconsistency that arose with the introduction of the performance standards regime, which replaced the concept of a "mandatory capability" with agreed performance standards. NEMMCO should be able to dispatch reactive power within the capabilities defined by the relevant performance standard.</p>	<p>Wording Issue: Distribution connected wind farms often have a requirement imposed by the NSP in the connection agreement to remain within a designated voltage range to avoid affecting customer voltages. A typical case is a requirement to avoid over-voltages by absorbing reactive for high generation and low system load. Clause (b1) is only correct if NEMMCO accept the connection agreement voltage limits. The text should be changed to reflect operation within the restrictions imposed by the connection agreement and NSP operating requirements.</p> <p>Add "and the connection agreement with the NSP.</p>
4.13(a) & (b)	Delete	These are being moved to clause 5.10.1(a) and (b), respectively after some amendments	Agree to deletion
4.14	Delete	Clauses 4.14(a) to (i) and 4.14(i) to (o) are being moved to clause 5.11.1 after	Agree to deletion

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4.15	Delete	<p>some amendments.</p> <p>Clauses 4.14(j) and (k) are being moved to clause 5.11.2(a) and (b), respectively, after some amendments.</p> <p>Clause 4.15 is being moved to clause 5.12 after some amendments.</p>	Agree to deletion
5.1.2(a)	<p>5.1.2 Purpose</p> <p>(a) This Chapter:</p> <p>(1) provides the framework for <i>connection</i> to a <i>transmission network</i> or a <i>distribution network</i> and access to the networks <i>forming part of the national grid</i>; and</p> <p>(2) has the following purposes:</p> <p>(i) to detail the principles and guidelines governing <i>connection</i> and access to a <i>network</i>;</p> <p>(ii) to establish the process to be followed by a <i>Registered Participant</i> or a person intending to become a <i>Registered Participant</i> to establish or modify a <i>connection</i> to a <i>network</i> or to alter <i>generating plant connected to a network</i>;</p> <p>(iii) to address a <i>Connection Applicant's</i> reasonable expectations of the level and standard of <i>power transfer capability</i> that the relevant <i>network</i> should provide; and</p> <p>(iv) to establish processes to ensure ongoing compliance with the technical requirements of this Chapter to facilitate management of the <i>national grid</i>.</p>	<p>This change is required to clarify that Chapter 5 also deals with alterations to generating plant. The term <i>connection</i> can be ambiguous in that changes to <i>connections</i> can be interpreted as only those that change the physical link to the transmission or distribution network, whereas 5.2.5 clearly includes alterations to generating plant.</p>	Agree

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5.1.3(b2)	(b2) A <u>Registered Participant</u> or person intending to become a <u>Registered Participant</u> may request <u>connection of a facility</u> , <u>modification of a connection</u> , or <u>alteration of connected plant</u> at a standard below an <u>automatic access standard</u> if the <u>connection</u> , <u>modification to the connection</u> , or <u>alteration of connected plant</u> does not adversely affect other <u>Registered Participants</u> : (1) <u>power system security</u> ; (2) <u>as regards connection of a generating system, reliability of supply</u> ; or (3) <u>the quality of supply to other Network Users</u> .	These changes are required to clarify that the provisions apply to modification of connections and alterations of connected plant. Further, previously the clause referred to any adverse effect on other Registered Participants. This is too broad a test and it is appropriate to restrict the clause to the specific instances in (1), (2) and (3).	Agree
5.2.2(b)	(b) The <u>Rules</u> apply to <u>all</u> : (1) <u>all connection agreements</u> made after 13 December 1998; (2) <u>all deemed connection agreements</u> created pursuant to under clause 5.2.2(a); and (3) <u>all requests to establish connection of modify an existing connection after 13 December 1998</u> .	There is no need to refer to modifications of connection in (3) as there will already be in place a connection agreement that is referred to in (1) or (2).	Agree
5.2.2(c) & (d)	Delete	There is no need for clause 5.2.2(c). Its effect is unclear and it is confusing. Chapter 5 no longer contains mandatory technical requirements that could conflict with the connection agreement. There is no need for clause 5.2.2(d). Its operation is unclear given the obligations set out in clauses 5.2.3 (Obligations of Network Service Providers), 5.2.4 (Obligations of Customers) and 5.2.5 (Obligations of Generators).	Agree to deletion
5.2.5(a)	(a) Each <u>Generator</u> must plan and design its <u>facilities</u> and	It is important that the performance standards take precedence over the	Agree

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	<p>ensure that its facilities they are operated to comply with:</p> <p>(1) its connection agreement with a Network Service Provider the performance standards applicable to those facilities;</p> <p>(2) subject to clause 5.2.5(a)(1), all applicable performance standards its connection agreement with a Network Service Provider; and</p> <p>(3) subject to clause 5.2.5(a)(2), the system standards.</p>	<p>connection agreement because:</p> <ul style="list-style-type: none"> performance standards are assessed by NEMMCO in the context of system security, reliability of supply and quality of supply; application of the existing procedures has resulted in differences between connection agreements and performance standards, which must not be allowed to undermine that process; performance standards are only amended with the agreement of the parties, and any subsequent agreement should take precedence over an earlier agreement; and the connection agreement is a private arrangement between third parties and the Rules should override those agreements where the Rules cover the field, ie system security, reliability of supply and quality of supply in the NEM. <p>When the technical requirements in schedule S5.2 were mandatory, it was necessary for any variations agreed in a connection agreement to take precedence over schedule S5.2, but now that the mandatory requirements have been converted into automatic and minimum access standards that is no longer required and undermines the concept of performance standards.</p> <p>For new connections, there should be no inconsistencies as the performance standards will be recorded in the connection agreement. NEMMCO will</p>	

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		have input into the drafting of the the performance standards and they will be accepted by NEMMCO subject to the connection agreement being executed.	
5.2.5(b)(1) & (2)	<p>(b) A Generator must:</p> <p>(1) submit an application to connect in respect of new or altered equipment generating plant owned, operated or controlled by the Generator, or to be owned, operated or controlled by the Generator, and enter into a connection agreement with a Network Service Provider in accordance with clause 5.3 prior to that equipment generating plant being connected to the network of that Network Service Provider or altered (as the case may be);</p> <p>(2) comply with the reasonable requirements of the relevant Network Service Provider in respect of design requirements of equipment generating plant proposed to be connected to the network of that Network Service Provider in accordance with clause 5.4 and schedule 5.2;</p>	The previous reference to altered equipment is now dealt with in clause 5.3.9.	Agree
5.3.1	<p>(a) The process and procedures in this clause 5.3 must be followed by a Registered Participant or person intending to become a Registered Participant wishing to establish or modify a connection to a network.</p> <p>(b) For the purposes of clause 5.3, the expression "establish a connection" Establishing a connection in this clause includes modifying an existing connection to the national grid or altering plant but does not include alterations to generating plant in the circumstances set out in clause 5.3.9.</p> <p>(c) A Generator wishing to alter connected generating plant must comply with clause 5.3.9.</p>	Modifications to plant can occur without modifications to the connection. There is generally no need to go through a full connection enquiry process for a Generator who is modifying plant, and a simplified process is more efficient.	Agree
5.3.2(a)	<p>(a) An existing or intending Registered Participant or a person who is eligible to become a Registered</p>	There is no need to refer to existing or intending Registered Participants.	Agree

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	<p>Participant who wishes A person wishing to lodge or consist is considering lodging an <i>application to connect</i> to a <i>network</i> must first make a <i>connection</i> enquiry by advising the <i>Local Network Service Provider</i> of the type, magnitude and timing of the proposed <i>connection</i> to the <i>network</i> of that <i>Local Network Service Provider</i>.</p>	Anyone can make a connection inquiry.	
<u>5.3.2(e)</u>	<p>(e) For the purposes of clause 5.3.2(d), where the performance or operation of <i>plant</i> that is the subject of an <i>application to connect</i> could be materially affected by another project, the <i>Network Service Provider</i> must provide to the <i>Connection Applicant</i> the following information about the other project sufficient to identify the extent of the impact:</p> <p>(1) if an <i>application to connect</i> has been received in respect of the other project, information of the types specified in clause S5.4 but not clauses S5.4(d) or S5.4(f), consistent with the <i>application to connect</i> of the other project; and</p> <p>(2) if an <i>offer to connect</i> has been made in respect of the other project, information of the types specified in clauses S5.2.4(b), and S5.5, consistent with the <i>offer to connect</i> of the other project.</p>	Clause 5.3.2(e) has been added to allow for the situation where one project has an adverse impact on another project. Until now, clause 5.3.8 has prevented the NSP disclosing such information to the connection applicant, even though the information may be of critical importance to the viability of the second project and the NSP is required to negotiate in good faith. This modification attempts to address this problem by allowing the release of basic information of competing projects for which an application to connect has been received and more detailed information of competing projects for which an offer to connect has been made.	Agree – Provided this is managed by the NSPs appropriately
<u>5.3.3(b)(1)(i)</u>	<p>(i) will need to be involved in planning to make the <i>connection</i> or will be involved under clause 5.3.5(f); and</p>	This change is needed to ensure that the inquirer is told that the TNSP will be involved in the planning carried out in respect of a generating system connected to a distribution network where that generating system is more than 10 MW.	Agree
<u>5.3.4A(a)</u>	<p>(a) A <i>negotiated access standard</i> must:</p> <p>(1) be no less onerous than the corresponding <i>minimum access standard</i> specified by the <i>Network Service Provider</i> in accordance with clause 5.3.3(b)(2);</p> <p>(2) be set at a level that will not adversely affect</p>	Clause 5.3.4A must reference reliability of supply as this concept is also central to the proper operation of the market. Some of the technical requirements impact reliability of supply as well as power system security (notably S5.2.5.9 and S5.2.5.12): a change to the technical	Agree – provided that only minimum standards that are achievable are written into the rules.

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	<p>power system security; and</p> <p>(3) be set at a level that will not adversely affect the quality of supply for other Network Users;</p> <p>(4) in respect of <u>generating plant</u>, be set at a level that will not adversely affect <u>reliability of supply</u>; and</p> <p>(5) in respect of <u>generating plant</u>, meet the requirements applicable to a <u>negotiated access standard</u> in clauses S5.2.5, S5.2.6, S5.2.8 and S5.2.9.</p>	<p>envelope is treated as an impact on security in the planning framework, but in operational timeframes may be managed by actions that impact reliability to maintain security.</p> <p>Bases for negotiation have been added to the technical requirements in S5.2.5. These do not form part of the automatic or minimum standards but explain how they are to be applied. The additional wording in 5.3.4A(a)(5) is required to ensure that these bases for negotiation are applied.</p>	<p>"Adverse effect" may be a question of degree... will there be any degree of materiality or objectivity injected into the provision? What would constitute adverse effect?"</p>
5.3.4A(b)	<p>(b)</p> <p>A Network Service Provider must, following the receipt of a proposed <u>negotiated access standard</u> in accordance with clause 5.3.4A(e) or 5.3.4A(f) with <u>under clause 5.3.4A(e) or 5.3.4A(f)</u>;</p> <p>(1) consult NEMMCO on all matters allocated to NEMMCO under clause 5.3.3(b)(4) and must related to the proposed <u>negotiated access standard</u> for which NEMMCO must be involved in the negotiation; and</p> <p>(2) accept NEMMCO's advice in respect of those matters in determining its response to each proposed <u>negotiated access standard</u> and any applicable terms or conditions of acceptance to be applied to each proposed <u>negotiated access standard</u>.</p>	<p>The change is required to clarify the obligation to consult and where that obligation is referenced.</p>	<p>Agree</p>
5.3.4A(d)	<p>(d)</p> <p>A Network Service Provider must, within 30 business days following the receipt of a proposed <u>negotiated access standard</u> in accordance with clause 5.3.4(e) or 5.3.4A(f)(3) accept or reject the proposed <u>negotiated access standard</u>. The Network Service Provider must reject the proposed <u>negotiated access standard</u> if <u>connection</u>, or alteration of the <u>generating plant</u> (as the case may be), at the <u>negotiated access standard</u> proposed by the <u>Connection Applicant</u> would:</p>	<p>This clause has been re-written to clarify the basis for rejection of proposed access standards.</p> <p>In paragraph (2), a reference to reliability of supply (limited to generating plant) has been added. Previously, NEMMCO could reject an application on the basis of security and the Network Service Provider on the basis of quality of supply</p>	<p>Agree. The timelines set out in this revised clause do not align with other clauses which require NEMMCO's adjudication.</p>

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Affected clause	Clause with proposed amendments	Reason	Award Comments
5.3.4A(g)	<p>(1) accept the proposed negotiated access standard in NEMMCO's reasonable opinion, adversely affect power system security; or</p> <p>(2) reject the proposed negotiated access standard if connection at the negotiated access standard proposed by the Connection Applicant would, in respect of the connection of generating plant, in NEMMCO's reasonable opinion adversely affect reliability of supply; or</p> <p>(i) in NEMMCO's reasonable opinion, adversely affect power system security; or</p> <p>(ii) in the Network Service Provider's reasonable opinion, adversely affect quality of supply for other Network Users; or</p> <p>(iii) in the opinion of NEMMCO (in respect of a matter allocated to NEMMCO under clause 5.3.3(b)(4)) or in the opinion of the Network Service Provider (in respect of a matter not allocated to NEMMCO under clause 5.3.3(b)(4)), not meet the requirements of clause 5.3.4A(a);</p> <p>(3) in the Network Service Provider's reasonable opinion, adversely affect quality of supply for other Network Users; or</p> <p>(4) in the opinion of NEMMCO or the Network Service Provider, in respect of a matter allocated to NEMMCO or the Network Service Provider, respectively, be lower than the corresponding minimum access standard; or</p> <p>(5) in respect of the connection of generating plant, in NEMMCO's reasonable opinion, not satisfy clause 5.3.4A(a)(5).</p>	<p>but neither had a specific power to reject it on the basis of impact on reliability. There is a grey area between security and reliability impacts. In the operational sense of security something that affects the operating envelope can often be managed by reductions in transfers on interconnectors or other major transmission network elements, which means that a security impact is translated to a reliability impact. See also comments under clause 5.3.4A(a).</p>	<p>Agree to deletion.</p>
5.3.4A(g)	Delete	Submission and acceptance of	Agree to deletion.

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
		performance standards and the relationship between performance standards and access standards is now dealt with in clauses 5.3.7A and 5.3.7B (transitional arrangements are in clauses 5.10 and 5.11).	
5.3.5(a)	<p>(a) The <i>Network Service Provider</i> to whom the <i>application to connect</i> is submitted:</p> <p>(1) at the <i>automatic access standard</i> in existence with under clause 5.3.4; or</p> <p>(2) at a <i>negotiated access standard</i> that has been accepted by the <i>Network Service Provider</i> in existence with under clause 5.3.4A(d);</p> <p>(3) at any applicable plant standards;</p> <p>must proceed to prepare an offer to <i>connect</i> in response.</p>	<p>The reference to clause 5.3.4A(d)(1) is now clause 5.3.4A(d) because of the change described above.</p> <p>"a <i>Network Service Provider</i>" has been changed to "the <i>Network Service Provider</i> ..." because it is specific to that connection.</p> <p>Clause 5.3.3(b3) deems applicable plant standards to be an automatic access standard or negotiated access standard and in other cases a plant standard may be accepted as a automatic access standard or negotiated access standard. Therefore the reference to applicable plant standard is not necessary.</p>	Agree
5.3.5(d)(1)	(1) the performance <u>technical</u> requirements for the equipment to be <i>connected</i> ;	The change is for consistent usage of the terms "performance standards" and "technical requirements".	Agree
5.3.5(g)	Delete	This is no longer required due to the proposed changes in this package.	Agree to deletion.
5.3.6(e)	Delete	This clause is a legacy of the Code prior to the introduction of negotiated access standards. The concept of variations is now specifically dealt with under the negotiation of access standards between minimum and automatic levels.	Agree to deletion: with comment: removal of this clause takes away the TNSPs ability to consider geographic or local conditions.
5.3.7(a)	(a) If the <i>Connection Applicant</i> wishes to accept an offer to		Agree

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
	<p><i>connect</i>, the <i>Connection Applicant</i> must:</p> <p>(1) _____ [Deleted]</p> <p>(2) _____ enter into a negotiate a proposed <i>connection agreement</i> with each relevant <i>Network Service Provider</i> identified in accordance with clause 5.3.3(b)(2) and, in doing so, must use its reasonable endeavours to negotiate in good faith with all parties with which the <i>Connection Applicant</i> must enter into negotiate such a <i>connection agreement</i>.</p>		
5.3.7	<p>(a1) The proposed <i>connection agreement</i> must include proposed <i>performance standards</i> with respect to each of the technical requirements identified in schedules 5.2, 5.3 and 5.3a where applicable and each proposed <i>performance standard</i> must have been established in accordance with the relevant technical requirement.</p> <p>(a2) The proposed <i>performance standards</i> must be based on the <i>automatic access standard</i> or, if the procedures in clause 5.3.4A have been followed, the <i>negotiated access standard</i>.</p> <p>(a3) The Network Service Provider and the Connection Applicant must not enter into the proposed connection agreement until NEMMCO has accepted the proposed performance standard.</p>		Agree
5.3.7(e)	Delete	This is being moved to clause 5.3.7A.	Agree to deletion.
5.3.7(f)	Delete	This is being moved to clause 5.3.7A(f).	Agree to deletion.

Affected clause	Clause with proposed amendments	Reason	Aiswind Comments
5.3.7A	<p>5.3.7A Submission of Performance Standards</p> <p>(a) <u>The Network Service Provider and the Connection Applicant must jointly advise NEMMCO when a proposed connection agreement has been negotiated between them and submit to NEMMCO the proposed performance standards for assessment by NEMMCO.</u></p> <p>(b) <u>The Network Service Provider must forward to NEMMCO a copy of the proposed connection agreement and relevant technical details of the proposed plant and connection, including, as applicable:</u></p> <p>(1) <u>details of all proposed performance standards that form part of the terms and conditions of the proposed connection agreement;</u></p> <p>(2) <u>in relation to generating plant, the arrangements for updating the information required in accordance with clause S5.2.4(b);</u></p> <p>(c) <u>Following receipt of the information referred to in clauses 5.3.7A(b) and S5.2.4 (if applicable) NEMMCO must assess whether, in its reasonable opinion, each proposed performance standard:</u></p> <p>(1) <u>satisfies the technical requirements set out in schedules 5.1, 5.2, 5.3 and 5.3a subject to any derogation applicable to the plant to which the proposed performance standards apply;</u></p> <p>(2) <u>is drafted to enable, in NEMMCO's reasonable opinion, a compliance program to be instituted and maintained in respect of the performance standard under clause 5.12(c); and</u></p> <p>(3) <u>can be complied with, based on the information provided to NEMMCO by the Network Service Provider and the Connection Applicant.</u></p>	<p>Throughout Chapter 5 the term 'access standard' has been adopted to refer to the automatic or negotiated standards that are recorded in the connection agreement. The standards in the connection agreement are proposed performance standards until they are accepted by NEMMCO and recorded on the register.</p>	<p>Where NEMMCO have the words 'copy of the proposed connection agreement' – this should be limited to the relevant technical and operational sections of the connection agreement.</p> <p>The commercial terms of a connection agreement are no concern of NEMMCO's.</p>

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
	<p>(d) <u>NEMMCO</u>, or in respect of a matter concerning the quality of supply to <u>Network Users</u>, <u>NEMMCO</u> in consultation with the relevant <u>Network Service Provider</u>, must, when assessing the proposed <u>performance standard</u> for a particular requirement based on any provision of schedules 5.1, 5.2, 5.3 and 5.3a, require a <u>Connection Applicant</u> to meet or exceed the <u>minimum access standard</u> but must not require the <u>Connection Applicant</u> to exceed the relevant <u>automatic access standard</u> for that requirement.</p> <p>(e) A <u>Generator</u> must forward to <u>NEMMCO</u> prior to registration relevant <u>metering installation</u> details of the proposed <u>plant</u> and <u>connection</u>, including:</p> <p>(1) the proposed <u>metering installation</u>;</p> <p>(2) arrangements for the <u>Metering Provider</u> to obtain physical access to the <u>metering installation</u>.</p> <p>(f) <u>NEMMCO</u> must, within 20 <u>business days</u> of the receipt of the information referred to in clause 5.3.7A(e), advise the relevant <u>Network Service Provider</u> and <u>Generator</u> whether the proposed <u>metering installation</u> is acceptable for those <u>metering installations</u> associated with those <u>connection points</u> that are classified as <u>metering installation</u> types 1, 2, 3 and 4 as specified in schedule 7.2.</p>		
5.3.7B	<p>5.3.7B Acceptance of Performance Standards</p> <p>(a) <u>NEMMCO</u> must, if it assesses that the proposed <u>performance standard</u> submitted under clause 5.3.7A(a):</p> <p>(1) satisfies the requirements set out in clause 5.3.7A(c), accept the proposed <u>performance standard</u> on the condition that the <u>connection agreement</u> is entered into; or</p> <p>(2) does not satisfy the requirements set out in clause 5.3.7A(c), reject the proposed <u>performance standard</u>.</p>	<p>This clause clarifies the process and criteria for acceptance of performance standards. Note that the reference to Registered Participants in clause 5.3.7B(d) includes Connection Applicants by virtue of the definition of Registered Participant.</p>	<p>Agree</p>

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
	<p>(b) <u>NEMMCO must advise the Connection Applicant and the Network Service Provider of its decision to accept or reject the proposed performance standard within 30 business days of the receipt by NEMMCO of the information referred to in clauses 5.3.7A(b) and S5.2.4 (if applicable).</u></p> <p>(c) <u>If NEMMCO rejects a proposed performance standard under clause 5.3.7B(a)(2), NEMMCO must, when advising the person under clause 5.3.7B(b) also provide the person with detailed reasons for its decision to reject the proposed performance standard.</u></p> <p>(d) <u>A Registered Participant whose proposed performance standard is rejected under clause 5.3.7B(a)(2) may dispute NEMMCO's decision to reject the proposed performance standard.</u></p> <p>(e) <u>If a dispute arising under clause 5.3.7B(d) is not resolved in accordance with clause 8.2.4 within 60 business days, notwithstanding any other provision in clause 8.2, the Adviser must refer the dispute for resolution to a DRP for determination in accordance with clauses 8.2.6A to 8.2.6D.</u></p>		
5.3.8	<p>5.3.8 Provision and use of information</p> <p>(a) The data and information to be provided by a Connection Applicant under clause 5.3 must be:</p> <p>(1) be prepared, given and used in good faith;</p> <p>(2) be treated as confidential information; and</p> <p>(3) protected from being not be disclosed or made available by the recipient to a third party; except for the purpose of enabling Network Service Providers and NEMMCO to assess the effect of the proposed facility on the performance of the power system and determine the extent of any required augmentation or extension or for the purpose of enabling Network Service Providers to advise NEMMCO of ancillary services to be</p>	<p>The protection from disclosure that was in clause 5.3.8(a)(3) has been limited to the point where the project becomes a "considered project". The information remains confidential. (a1) is reformatting from previous rule (a)(3).</p>	<p>Agree</p>

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
	<p>provided under a connection agreement in the circumstances set out in clauses 5.3.2(b), 5.3.8(a1), 5.3.8(a2) and 5.3.8(a3).</p> <p>(a1) The data and information to be provided under clause 5.3 may be disclosed by a <u>Network Service Provider</u> to NEMMCO and by NEMMCO to a <u>Network Service Provider</u> for the purpose of enabling <u>Network Service Providers</u> or NEMMCO (as the case may be) to:</p> <p>(1) assess the effect of the proposed <u>facility</u> or proposed alteration to <u>generating plant</u> (as the case may be) on the performance of the <u>power system</u> or another proposed <u>facility</u> or another proposed alteration;</p> <p>(2) determine the extent of any required <u>augmentation</u> or <u>extension</u>; or</p> <p>(3) advise NEMMCO of services described in clause 3.11.4(f).</p> <p>(a2) Where a technical requirement in clause S5.2.5, S5.2.6, S5.2.8 or S5.2.9 requires a <u>Network Service Provider</u> or a <u>Generator</u> to take into account a <u>considered project</u> when negotiating an <u>access standard</u>, the data and information to be provided under clause 5.3 on the <u>considered project</u> may be disclosed by the <u>Network Service Provider</u> to the <u>Connection Applicant</u> to the extent reasonably necessary for the <u>Connection Applicant</u> to determine a proposed <u>access standard</u> for that technical requirement.</p> <p>(a3) The data and information to be provided under clause 5.3 may only be disclosed by the recipient to a third party as allowed under clauses 3.13.3(k) and 3.13.3(k1) once:</p> <p>(1) a person is registered with NEMMCO as a <u>Registered Participant</u> in respect of the relevant <u>plant</u>; and</p> <p>(2) unless the disclosure is to a <u>Transmission Network Service Provider</u>, only if it does not contain data and information from which the load characteristics described in clause S5.5.5</p>		

Affected clause	Clause with proposed amendments	Reason	Award/nd Comments
	<p>could be derived as an identifiable component.</p> <p>(b) A person intending to disclose information under clause 5.3.8(a)(3)(a) must first advise the relevant <i>Connection Applicant</i> of the extent of the disclosure.</p>		
5.3.9	<p>5.3.9 Procedure to be followed by a Generator proposing to alter a Generating System</p> <p>(a) If a <i>Generator</i>:</p> <p>(1) proposes to alter a <i>connected generating system</i>: or</p> <p>(2) proposes to alter a <i>generating system</i> for which <i>performance standards</i> have been previously accepted by <i>NEMMCO</i>,</p> <p>in a manner that will affect the performance of the <i>generating system</i> relative to any of the technical requirements set out in clauses S5.2.5, S5.2.6, S5.2.8 and S5.2.9, this clause 5.3.9 must first be followed by the <i>Generator</i>.</p> <p>(b) The <i>Generator</i> must submit to the <i>Network Service Provider</i>, with a copy to <i>NEMMCO</i>:</p> <p>(1) a description of the nature of the alteration and the timetable for implementation;</p> <p>(2) in respect of the <i>generating system</i> as altered, details of the <i>generating unit</i> design data and <i>generating unit</i> setting data in accordance with schedule S5.5 or the <i>Generating System Model Guidelines, Generating System Design Data Sheet, or Generating System Setting Data Sheet</i>;</p> <p>(3) in respect of the <i>generating system</i> as altered, the information described in clause S5.2.4(b); and</p> <p>(4) proposed amendments to the relevant <i>performance standard</i> being, for each relevant technical requirement for which the proposed</p>	<p>The existing provisions of clause 5.3 apply to modifying a connection. It is possible to alter generating plant where the alteration has an impact without actually modifying the connection.</p> <p>It is therefore important that the Rules be amended to specifically deal with alterations to generating plant. Clause 5.3.9 is a truncated version of the process set out to establish a connection.</p> <p>An important aspect of this clause is that it clarifies that a modification to plant does not require that all performance standards need to be reconsidered, just those that may be affected by the proposed change. This is necessary because some aspects of plant design are not easily modified, and requiring all performance standards to be reassessed to current standards may discourage Generators from upgrading plant.</p>	<p>Agree with alterations to the table to ensure it is accurate. Adequate statements on design or test data should satisfy – a submission under 5.3.9(b)(4) should not be required.</p> <p>Clause 5.3.9(c) is unworkable contractually between the parties, as it infers unlimited liability – how will this be dealt with in risk allocation? It also limits responsibility of parties for their own responsibilities and shifts it onto other Parties.</p>

Affected clause	Clause with proposed amendments	Reason	Auswind Comments																
	<p>alteration to the equipment will affect the performance of the <i>generating system</i>, the applicable <i>automatic access standard</i> or a proposed <i>negotiated access standard</i> determined by application of clause 5.3.4A as if that clause applied to the submission.</p> <p>(c) Without otherwise limiting clause 5.3.9(b)(4), for the purposes of that clause, a proposed alteration to the equipment specified in column 1 of the table set out below is taken to affect the performance of the <i>generating system</i> relative to technical requirements specified in column 2 thereby necessitating a submission under clause 5.3.9(b)(4):</p> <table border="1" data-bbox="319 238 981 884"> <thead> <tr> <th data-bbox="869 238 981 498">Column 1 (altered equipment)</th> <th data-bbox="869 498 981 884">Column 2 (clause)</th> </tr> </thead> <tbody> <tr> <td data-bbox="813 238 869 498">machine windings</td> <td data-bbox="813 498 869 884">S5.2.5.1, S5.2.5.2, S5.2.9</td> </tr> <tr> <td data-bbox="758 238 813 498">power converter</td> <td data-bbox="758 498 813 884">S5.2.5.1, S5.2.5.2, S5.2.5.3C, S5.2.5.12, S5.2.5.13, S5.2.9</td> </tr> <tr> <td data-bbox="646 238 758 498">reactive compensation plant</td> <td data-bbox="646 498 758 884">S5.2.5.1, S5.2.5.2, S5.2.5.3C, S5.2.5.12, S5.2.5.13</td> </tr> <tr> <td data-bbox="542 238 646 498">excitation control system</td> <td data-bbox="542 498 646 884">S5.2.5.3C, S5.2.5.12, S5.2.5.13</td> </tr> <tr> <td data-bbox="486 238 542 498">voltage control system</td> <td data-bbox="486 498 542 884">S5.2.5.3C, S5.2.5.12, S5.2.5.13</td> </tr> <tr> <td data-bbox="430 238 486 498">governor control system</td> <td data-bbox="430 498 486 884">S5.2.5.11, S5.2.5.14</td> </tr> <tr> <td data-bbox="319 238 430 498">power control system</td> <td data-bbox="319 498 430 884">S5.2.5.11, S5.2.5.14</td> </tr> </tbody> </table>	Column 1 (altered equipment)	Column 2 (clause)	machine windings	S5.2.5.1, S5.2.5.2, S5.2.9	power converter	S5.2.5.1, S5.2.5.2, S5.2.5.3C, S5.2.5.12, S5.2.5.13, S5.2.9	reactive compensation plant	S5.2.5.1, S5.2.5.2, S5.2.5.3C, S5.2.5.12, S5.2.5.13	excitation control system	S5.2.5.3C, S5.2.5.12, S5.2.5.13	voltage control system	S5.2.5.3C, S5.2.5.12, S5.2.5.13	governor control system	S5.2.5.11, S5.2.5.14	power control system	S5.2.5.11, S5.2.5.14		
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Affected clause	Clause with proposed amendments	Reason	Auswind Comments						
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remote control and monitoring system	S5.2.5.14, S5.2.6.1, S5.2.6.3								
	<p>(e) The <i>Network Service Provider</i> may, as a condition of considering the submission made under clause 5.3.9(b), require payment of a fee to meet the reasonable costs anticipated by it and any other <i>Network Service Providers</i> and <i>NEMMCO</i> in the assessment of the submission. The <i>Network Service Provider</i> must require payment of such a fee if so requested by <i>NEMMCO</i>. On payment of the required fee, the <i>Network Service Provider</i> must pay such amounts as are on account of the costs anticipated to be incurred by the other <i>Network Service Providers</i> and <i>NEMMCO</i> as appropriate.</p> <p>(f) The <i>Network Service Provider</i> and the other party must immediately jointly advise <i>NEMMCO</i> when a variation to an existing <i>connection agreement</i> has been entered into between them in relation to an alteration to a <i>generating system</i>.</p>								
<u>5.3.10</u>	<p>5.3.10 Acceptance of Performance Standards for Generating Plant that is Altered</p> <p>(a) A <i>Generator</i> must not commission altered <i>generating plant</i> until the <i>Generator</i> has satisfied <i>NEMMCO</i> that clause 5.3.9 has been complied with and each amended <i>performance standard</i> submitted:</p> <p>(1) either meets the <i>automatic access standard</i> applicable to the relevant technical requirement or, if the <i>performance standard</i> does not meet the <i>automatic access standard</i>, it would not be</p>	<p>This clause is required to set out the procedure and tests to be applied in determining whether to accept or reject proposed performance standards submitted on alteration of generating plant.</p>	<p>An alteration to an existing generating system should only require the performance of the plant post modification to meet its existing performance standard.</p>						

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
	<p>rejected if clauses 5.3.4A(a) and 5.3.4A(d) were applied at the time the submission of <u>performance standards</u> is received by NEMMCO:</p> <p>(2) _____ is drafted to enable, in NEMMCO's reasonable opinion, a compliance program to be instituted and maintained in respect of the <u>performance standard</u> under clause 5.12(c); and</p> <p>(3) _____ can be complied with, based on the information provided to NEMMCO.</p>		
5.4.1	<p>5.4.1 Applicability</p> <p>This clause 5.4 applies only to new installations and modifications to existing installations (including, without limitation, alterations to existing <u>generating plant</u>) after 13 December 1998 (in the case of installations located in <u>participating jurisdictions</u> other than Tasmania) and after the date that Tasmania becomes a participating jurisdiction 29 May 2005 in the case of installations located in Tasmania.</p>	<p>This change is necessary to make it clear that clause 5.4 (Design of Connected Equipment) applies to the alteration of generating plant.</p> <p>Also amended to clarify date when Tasmanian installations are covered.</p>	Agree
5.4.2	<p>(a) At any stage prior to commissioning the <u>facility</u> in respect of a <u>connection</u>, the <u>Registered Participant</u> or the person intending to be registered as a <u>Generator</u> must advise the relevant <u>Network Service Provider</u> and NEMMCO in writing of any inconsistency between the proposed equipment and the provisions of the relevant connection agreement performance standards and, if necessary, the <u>Network Service Provider</u> and the <u>Registered Participant</u> or the person intending to be registered as a <u>Generator</u> must negotiate in good faith any necessary changes to the connection agreement relevant performance standards under clause 5.3.9.</p> <p>(b) If there is an inconsistency in a connection agreement performance standard identified in clause 5.4.2(a), the <u>Registered Participant</u> or the person intending to be registered as a <u>Generator</u> and <u>Network Service Provider</u> must not commission the <u>facility</u> in respect of a</p>	<p>These changes are necessary to ensure that any inconsistency between the plant and the performance standards are resolved before commissioning. As the performance standards are accepted subject to the execution of the Connection Agreement the reference to connection agreement can be removed.</p>	<p>Auswind supports the NGF comment on this clause.</p> <p>NEMMCO should also be required to negotiate in good faith as they are a party to almost all negotiations</p>

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
	<p><i>connection unless the facility or the connection agreement performance standard has been varied to remove the inconsistency.</i></p> <p>(c) Nothing in this clause 5.4.2 affects the operation of clause 5.3.6(c1).</p>		
5.7.3(a)	<p>(a) Each Generator must, prior to the Generator implementing a compliance program in accordance with clause 4.15(b)5.12(b), provide evidence to any relevant Network Service Provider with which that Generator has a connection agreement and NEMMCO that each of its generating units complies with the applicable technical requirements of clause S5.2.5 of schedule 5.2 and the relevant connection agreement and the performance standards for that generating unit.</p>	<p>This change is required to ensure that correct referencing is applied.</p>	<p>Wording – should be inclusive and add ‘or generating system’ where NEMMCO refer to “generating unit” as for wind farms some standards are only met at the connection point by the generating system. This clause fails to support the principle of flexibility that NEMMCO has promoted.</p>
5.7.3(c)	<p>(c) If prior to the Generator implementing a compliance program in accordance with the requirements of clause 4.15(b)5.12(b), a performance test or monitoring of in-service performance demonstrates that a generating unit is not complying with one or more technical requirements of clause S5.2.5 of schedule 5.2 and the relevant connection agreement or one or more of the performance standards for that generating unit then the Generator must:</p>	<p>This change is required to ensure that correct referencing is applied.</p>	<p>Wording – should be inclusive and add ‘or generating system’ where NEMMCO refer to “generating unit” as for wind farms some standards are only met at the connection point by the generating system. This clause fails to support the principle of flexibility that NEMMCO has promoted.</p>
5.7.3(e)	<p>(e) IF NEMMCO: (1) is satisfied that: (i) a generating unit or generating system does not comply with its performance standards in respect of one or more technical requirements of clauses S5.2.5, S5.2.6, S5.2.8 or S5.2.9 of schedule 5.2 and the relevant connection agreement, or (ii) does not have evidence demonstrating that a generating unit complies with the technical requirements set out in clause S5.2.5 of schedule 5.2 a generating unit's or generating</p>	<p>These amendments are to change the reference to technical requirements to include inadequate models used to assess power system security as grounds for directing the Generator to operate the plant.</p>	<p>Agree</p> <p>It is a requirement for block diagram to be provided, here the shift is to provide system models, this is a completely new approach. If that is the intent here, then there has to be some transitional period to allow parties to comply as well as allow room for validation</p>

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
	<p>system's performance is not adequately represented by the applicable analytical model provided under clause 5.7.6(g) or clause S5.2.4; and</p> <p>(2) holds the reasonable opinion that there is, or could be, a threat to power system security because of the performance of the generating unit or generating system, or because the inadequacy of its analytical model is adversely affecting NEMMCO's ability to assess power system security, including power transfer capabilities; and</p> <p>(3) holds the reasonable opinion that there is or could be a threat to the power system security because of the performance of the generating unit;</p> <p>NEMMCO may direct the relevant Generator to operate the relevant generating unit or generating system at a particular generated output or in a particular mode until the relevant Generator submits evidence reasonably satisfactory to NEMMCO that the generating unit or generating system is complying with the relevant technical requirement(s) performance standard and performing substantially in accordance with its analytical model.</p>		<p>implications.</p>
5.7.6(a1)	<p>(a1) IF NEMMCO reasonably considers that:</p> <p>(1) the analytical parameters for modelling of a generating unit or generating system are inadequate; or</p> <p>(2) available information, including results from a previous test of a generating unit or generating system are inadequate to determine parameters for an applicable model developed in accordance with the Generating System Model Guidelines, or otherwise agreed with NEMMCO under clause S5.2.4(b1)(2).</p>	<p>This clause gives NEMMCO a right to require an NSP to exercise its power to request testing to determine analytical parameters for modelling purposes. This is necessary because NEMMCO has a responsibility for power system security, and ability to ensure power system security is strongly affected by the quality of models used to determine stability limits.</p>	<p>Agree</p>

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
	<p>NEMMCO may direct a Network Service Provider to require a Generator to conduct a test under clause 5.7.6(a). NEMMCO may witness such tests.</p>		
5.7.6(g)	<p>(g) The Network Service Provider must provide to a Generator such details of the analytic parameters of the model derived from the tests referred to in clause 5.7.6 for any of that Generator's generating units as may reasonably be requested by the Generator. The Generator must provide the test records obtained from a test under clause 5.7.6(a) to the Network Service Provider, who must derive the analytical parameters for the applicable model developed in accordance with the <i>Generating System Model Guidelines</i>, or otherwise agreed with NEMMCO under clause S5.2.4(b)(2) and provide them to NEMMCO and the relevant Generator.</p>	<p>This amendment gives NEMMCO access to analytical parameters derived from tests under clause 5.7.6.</p>	<p>Agree</p>
5.7.6(h)	<p>(h) Each of the Generator, the Network Service Provider and NEMMCO must bear its own costs associated with tests conducted under this clause 5.7.6 and no compensation is to be payable for financial losses incurred as a result of these tests or associated activities.</p>	<p>This amendment adds NEMMCO and NSP to list of parties to bear their own costs for testing. (NSP previously only implied).</p>	<p>Excluding further testing carried out under 5.7.6(a1) at NEMMCO's request and cost.</p>
5.10	<p>5.10 Performance Standards – transitional arrangements</p> <p>5.10.1 Submission of Performance Standards on or about the Performance Standards Commencement Date</p> <p>(a) A Generator, Customer or Market Network Service Provider who, at the performance standards commencement date, engages in the activity of owning, controlling or operating plant must, within 30 days of the performance standards commencement date, submit to NEMMCO proposed performance standards for that plant, to be:</p> <p>(1) in the case of a person who is registered as a Generator in relation to that plant – in accordance with schedule 5.2;</p> <p>(2) in the case of a person who is registered as a Customer in relation to that plant – in</p>	<p>Clause 5.10.1(b) has been rewritten from 4.13.(b). The words “confidential information” have been removed because some of the information required is considered elsewhere in the Rules to be “confidential information”, but nevertheless may need to be provided.</p> <p>Clause 5.10.1(c) is required to correct an anomaly in the current Rules where people with signed connection agreements who were not Registered Participants at the time of the last changes to the Code (preceding the change to Rules), but who subsequently became registered, are not covered by the process to create performance standards either</p>	<p>Auswind support the NGF proposed derogation and comments below.</p> <p>A derogation is a more appropriate manner to deal with transitional changes with a sunset date.</p> <p>Must refer to the standards outlined in 5.10.3</p>

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
	<p>accordance with schedule 5.3. or</p> <p>(3) _____ in the case of a person who is registered as a <u>Market Network Service Provider</u> in relation to that <u>plant</u>—in accordance with schedule 5.3a.</p> <p>(b) A <u>Network Service Provider</u> must, on request by a person who has made a submission under clause 5.10.1(a), 5.10.1(c) or 5.10.1(d) whose <u>facility</u> is connected to the <u>Network Service Provider's network</u>, provide that person with all performance data and other information reasonably required by that person to satisfy its obligations under clauses 5.10.1(a), 5.10.1(c) and 5.10.1(d).</p> <p>(c) A person who, at the <u>performance standards commencement date</u>:</p> <p>(1) _____ was not registered as a <u>Generator, Customer or Market Network Service Provider</u>; and</p> <p>(2) _____ was either:</p> <p>(i) _____ party to a <u>connection agreement</u>; or</p> <p>(ii) _____ negotiating a <u>connection agreement</u>, the negotiation of which was not subject to clause 5.3.4A; and</p> <p>(3) _____ who subsequent to the <u>performance standards commencement date</u>, but prior to the date this clause 5.10.1 became effective ("effective date"), registered as a <u>Generator, Customer or Market Network Service Provider</u>.</p> <p>must, within 30 days of the <u>effective date</u>, submit to NEMMCO proposed <u>performance standards</u> for that <u>plant</u> in accordance with clause 5.10.1(e).</p> <p>(d) A person who at the <u>effective date</u> was not registered as a <u>Generator, Customer or Market Network Service Provider</u>, but was party to a <u>connection agreement</u> must, within 30 days of the <u>effective date</u>, submit to NEMMCO proposed <u>performance standards</u> for that <u>plant</u> in</p>	<p>under chapter 5 or chapter 4. This clause ensures that performance standards will now be recorded for these Participants.</p> <p>Clause 5.10.1(e) is required as a transitional arrangement for the introduction of the new process where performance standards are assessed before the connection agreement is signed.</p>	

Affected clause	Clause with proposed amendments	Reason	Auswind Comments
	<p>accordance with clause 5.10.1(c).</p> <p>(c) The <i>performance standards</i> required to be submitted under clause 5.10.1(c) and (d) must be in accordance with:</p> <p>(1) schedule 5.2 if they are to be registered by a <i>Generator</i> in relation to relevant <i>plant</i>;</p> <p>(2) schedule 5.3 if they are to be registered by a <i>Customer</i> in relation to relevant <i>plant</i>; or</p> <p>(3) schedule 5.3a if they are to be registered by a <i>Market Network Service Provider</i> in relation to relevant <i>plant</i>.</p> <p>5.10.2 Submission of Performance Standards where the Technical Requirements Change</p> <p>(a) If, subsequent to the establishment of the <i>performance standards</i> a technical requirement against which those <i>performance standards</i> were assessed changes, or has changed in any respect, or a new technical requirement is inserted into the <i>Rules</i>, the relevant <i>Generator</i>, <i>Customer</i> or <i>Market Network Service Provider</i> must submit to <i>NEMMCO</i> a proposed <i>performance standard</i> for each of the changed technical requirements.</p> <p>(b) A <i>Network Service Provider</i> must, on request by a person who has made a submission under clause 5.10.2 whose <i>facility</i> is connected to the <i>Network Service Provider's network</i>, provide that person with all performance data and other information reasonably required by that person to enable it to satisfy its clause 5.10.2(a) obligations.</p> <p>5.10.3 Standard of Proposed Performance Standards</p> <p>A proposed <i>performance standard</i> submitted by a <i>Generator</i> or <i>person</i> under clauses 5.10.1 or 5.10.2 must be at a standard at least equal to:</p> <p>(a) where there is already a relevant registered <i>performance standard</i>, that registered <i>performance standard</i>.</p>	<p>The existing Rules are deficient in that they do not deal with the situation where the technical requirements change. It is important that Generators address any changes in the technical requirements to ensure system security, reliability and quality of supply are maintained. Clause 5.10.2 is inserted to correct this omission.</p>	<p>Not acceptable – Open ended requirement. This provides no regulatory certainty. Participants may be required to upgrade their plants after building and agreeing performance standards.</p> <p>This clause is required so that the performance standards submitted are not of a lesser standard than what currently is agreed or if there is no agreement, then what is technically achievable by the plant.</p> <p>Performance standards should be based on 'point of connection' requirements and not be based on a generalistic one. For instance, a requirement for a connection a weak grid location may also be deemed to apply to similar installation in a different</p>